


**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

FILED

2012 AUG 16 PM 3:36

CLERK US DISTRICT COURT  
WESTERN DISTRICT OF TEXAS

BY                        
DEPUTY

**DOUGLAS MASTERS, Individually and on  
Behalf of All Others Similarly Situated,  
Plaintiff,**

**-vs-**

**Case No. A-12-CA-451-SS**

**TIME WARNER CABLE, INC.,  
Defendant.**

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**ORDER**

BE IT REMEMBERED on this day the Court reviewed the file in the above-styled cause, and specifically the “Joint Stipulation and [Proposed] Order Setting Briefing Schedule on Amended Complaint” [#13], and thereafter, enters the following:

This lawsuit was filed by Douglas Masters on May 21, 2012 and summons issued for the defendant’s service on May 22, 2012. This was the fourth lawsuit filed within thirty days by Douglas Masters. On this Court’s docket, Mr. Masters has sued FIA Card Services, N.A., P&V Capital, LP, and Wells Fargo Bank South Central, N.A. in separate cases.

The defendant Time Warner Cable, Inc. filed on July 30, 2012 a motion to dismiss and requested a stay with a motion to compel arbitration. Now, the parties desire a stipulation to be approved by the Court that, assuming this order entered on August 16, 2012, the plaintiffs would have the right to bring an amended complaint till September 6; the defendant would have the right to respond to that amended complaint with obviously a motion to dismiss, a motion to stay, and a motion to compel arbitration by September 28, 2012; and the plaintiff would have until October 19,

J

2012 to respond to that defensive pleading. According to my calendar, that's over five months after the lawsuit has been filed. It makes one wonder how many lawsuits Douglas Masters can file in this interim of time.

The Court does not approve or order the joint stipulation, and enters the following order:

Douglas Masters shall respond to the Motion to Dismiss or, in the Alternative, to Stay and Compel Arbitration within seven (7) days of the date of this order in compliance with the local rules of this district or may waive a response and file an amended complaint within 21 days of July 30, 2012, according to the Federal Rules of Civil Procedure. Thereafter, in all motions and responses, Local Rule 7 will apply, i.e., there are fourteen days in which to answer any motion and seven days to respond to the answers to any motion.

It is clearly apparent to the undersigned that, as of August 8, 2012 when the stipulation request was filed, all parties and counsel knew what the legal issues were and, further, had already briefed those issues as they are to be controlling as to the disposition of this case.

IT IS ORDERED that the Joint Stipulation Setting Briefing Schedule on Amended Complaint [#13] is not approved.

SIGNED this the 16<sup>th</sup> day of August 2012.

  
UNITED STATES DISTRICT JUDGE